

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

THE UNITED STATES OF AMERICA

v.

CR. NO.: 14CR00562-14 (GAG)

JOSELITO RIOS-GONZALEZ

MOTION FOR EARLY TERMINATION OF SUPERVISED RELEASE TERM

TO THE HONORABLE COURT

U.S. PROBATION OFFICER RICARDO A. CARRILLO-LOPEZ informs the Court that on September 10, 2020, Mr. Joselito Rios-Gonzalez commenced his supervised release term and the same is scheduled to expire on September 9, 2026.

The Court should be informed that, since his release from imprisonment, Mr. Rios-Gonzalez has been in full compliance with the conditions imposed by this Honorable Court. He has tested negative in all drug tests administered by the U.S. Probation Office, maintain a stable residence accompanied by his parents and consensual partner and even forging his own sowing business in partnership with his consensual partner. The same operates out of their residence and they specialize in the manufacturing of the costumes worn by participants of the Hatillo Festival of Masks. Aside from this, Mr. Rios-Gonzalez maintains an open line of communication with his supervising Probation Officer, as well as abides by all instructions issued by the same in relation to his conditions of supervised release.

It also must be noted that, throughout this time, Mr. Rios-Gonzalez has also been suffering from a variety of medical conditions. As certified by his attending physician through a letter addressed to the supervising Probation Officer, Mr. Rios-Gonzalez suffers from: Type 2 Diabetes, Insulin Dependency, Arterial Hypertension, Hyperlipidemia, Multifocal Osteomyelitis on his right foot, Charcot Joint on his right foot and Stage 3 Renal Failure. These have also been evident to the supervising Probation Officer during his various visits to Mr. Rios-Gonzalez, as he has trouble walking and has even been hospitalized for an extended period of time. Nonetheless, Mr. Gonzalez-Rios has clearly demonstrated his desire to live a lawful lifestyle and continue positively progressing in life.

In addition, the U.S. Probation Office makes use of an instrument adopted by the Administrative Office of the United States Courts, the Federal Post-Conviction Risk Assessment (PCRA), in which the person under supervision's probability of recidivism is calculated. Mr. Rios-Gonzalez was initially assessed in the Moderate risk level of recidivism and violence. Since that time, and through his good conduct, his recidivism risk level is now considered Low-Moderate. Pursuant to the Guide to Judiciary Policy, Vol. 8, Part E, Chapter 3, Section 360.20, after 18 months, people under supervision who have demonstrated a reduction in risk, who do not present a risk of harm to the public, who are free from Court documented violations in the past 12 months, and are in compliance with terms of supervised release, must be considered for early termination.

Title 18, United States Code, Section 3583(e)(1) provides for early termination of supervised release term. Said subsection allows the Court to terminate a supervised release and discharge a person under supervision at any time after the expiration of one (1) year of supervision, if the Court is satisfied that such action is warranted by the conduct

of the person under supervision and is in the interest of justice. After considering the factors set forth in Title 18, United States Code, Section 3583(e)(1), reflected in this motion, Mr. Rios-Gonzalez qualifies for early termination as he has satisfied the minimal criteria and has gone beyond the supervised release expectations for consideration of early termination even though he is suffering from a slew of health issues.

WHEREFORE, in view of these circumstances and considering the factors set forth in Title 18 U.S.C. Section 3583(e)(1), taking into consideration Mr. Rios-Gonzalez's positive adjustment during supervision, his compliance with the conditions of supervised release, the fact that he has served over two years of his supervision term and that he is suffering from various ailments which require his attention beyond that of being under supervised release, the Probation Office for the District of Puerto Rico respectfully request the Court to consider an early termination of Mr. Joselito Rios-Gonzalez's supervised release term.

San Juan, Puerto Rico, November 8, 2022.

RESPECTFULLY SUBMITTED,

LUIS O. ENCARNACION,
Chief U.S. Probation Officer

s/ Ricardo A. Carrillo-Lopez

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CERTIFICATE OF SERVICE

I certify that on this day, I electronically filed this motion with the Clerk of Court using the CM/ECF system, which will send notification of such filing to the parties.

San Juan, Puerto Rico, November 8, 2022.

s/ Ricardo A. Carrillo-Lopez

Ricardo A. Carrillo-Lopez
U.S. Probation Officer